

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

BAHRI BEGOLLI,

Plaintiff,

v.

THE HOME DEPOT,

Defendant.

ORDER

11-cv-380-bbc

At the conclusion of an evidentiary hearing held on March 9, 2012, I found that plaintiff Bahri Begolli did not file a timely complaint of discrimination with the Equal Employment Opportunity Commission or with the state division of Equal Rights, as required under 42 U.S.C. § 2000e-5(e)(1). Plaintiff learned no later than August 27, 2007 that he would not be hired for the position of electrical master trade specialist by defendant Home Depot's West Madison retail store. On that day, he had a telephone call from defendant's district manager for human resources telling him specifically that he was not going to be hired.

As of August 27, 2007, plaintiff had 300 days in which to file a complaint. He failed to do so before the deadline on June 22, 2008. His complaint was filed four days later, on

June 26, 2008.

Under 42 U.S.C. § 2000e-5(e)(1), persons seeking to file suits alleging discrimination must first file a timely charge of discrimination with a specialized agency, either the Equal Employment Opportunity Commission or, in Wisconsin, with the Equal Rights Division, and must do so within 300 days of the alleged unlawful employment practice. Filing a timely claim is a prerequisite to filing a suit in federal court. Reed Elsevier, Inc. v. Muchnick, 130 S. Ct. 1237, 1246 (2010). Plaintiff did not comply with this requirement, so his lawsuit cannot go forward.

ORDER

IT IS ORDERED that this case is DISMISSED for plaintiff Bahri Begolli's failure to file a timely complaint of discrimination, as required by 42 U.S.C. § 2000e-5(e)(1).

Entered this 12th day of March, 2012.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge